

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA, ) **Case No. 3:19-cr-00521-X**  
 )  
Plaintiff, )  
 ) Dallas, Texas  
v. ) October 10, 2019  
 ) 1:00 p.m.  
BETH ELLEN DEGROOT, )  
 ) INITIAL APPEARANCE  
Defendant. ) ARRAIGNMENT  
 )

---

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE RENEE HARRIS TOLIVER,  
UNITED STATES MAGISTRATE JUDGE.

APPEARANCES:

For the Government: Christopher Fenton  
UNITED STATES ATTORNEY'S OFFICE  
1100 Commerce Street, Third Floor  
Dallas, TX 75242-1699  
(214) 659-8600

For the Defendant: James P. Whalen  
WHALEN LAW OFFICE  
9300 John Hickman Parkway,  
Suite 501  
Frisco, TX 75035  
(214) 368-2560

Court Recorder: Jane W. Amerson  
UNITED STATES DISTRICT COURT  
1100 Commerce Street, Room 1611  
Dallas, TX 75242-1003  
(214) 753-2360

Transcription Service: Kathy Rehling  
311 Paradise Cove  
Shady Shores, TX 76208  
(972) 786-3063

Proceedings recorded by electronic sound recording;  
transcript produced by transcription service.

1                   DALLAS, TEXAS - OCTOBER 10, 2019 - 1:04 P.M.

2                   THE COURT: The Court next calls Case No. 3:19-cr-  
3 521-X, United States of America versus Beth Ellen Degroot.

4                   MR. WHALEN: James Whalen for Ms. Degroot, Your  
5 Honor. Good afternoon.

6                   THE COURT: Good afternoon. Good afternoon, ma'am.  
7 Will you state your full name, please?

8                   THE DEFENDANT: Beth Ellen Degroot.

9                   THE COURT: Ms. Degroot, you have the right to remain  
10 silent. You're not required to make a statement. If you've  
11 already made a statement, you don't have to say anything more.  
12 And if you start to make a statement, you may stop at any  
13 time. But any statement you make may later be used against  
14 you. Do you understand, ma'am?

15                  THE DEFENDANT: Yes, ma'am.

16                  THE COURT: You also have the right to an attorney to  
17 represent you at every stage of these proceedings, and you  
18 have the right to have to a court-appointed attorney in the  
19 event you're unable to obtain one. However, the Court is  
20 aware that Mr. Whalen has entered his notice of appearance as  
21 your attorney of record in this case.

22                  Ma'am, do you read, write, and understand English? Did  
23 you see a copy of the sealed indictment filed in this case  
24 that charges you with two counts?

25                  THE DEFENDANT: Yes. My attorney read it to me.

1 THE COURT: Did you -- he read you the charges?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: And did he discuss the nature of the  
4 charges with you?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: I'm sorry?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Do you understand, then, what you're  
9 charged with by that indictment?

10 THE DEFENDANT: Yes, ma'am.

11 THE COURT: At this time, it would be appropriate to  
12 have the charges read aloud here in court, but based on your  
13 knowledge and understanding of them, you may waive the reading  
14 if you choose.

15 THE DEFENDANT: Yes.

16 MR. WHALEN: We'll waive, Your Honor.

17 THE COURT: Ma'am, how do you plead to Counts One and  
18 Two of that indictment, guilty or not guilty?

19 THE DEFENDANT: Not guilty.

20 THE COURT: The record does reflect your not guilty  
21 pleas.

22 The Government has filed a motion for detention in this  
23 case seeking to keep you in custody until the case is finally  
24 concluded, and, of course, you have the right to a hearing on  
25 that motion, a detention hearing.

1           The Government is seeking a one-day continuance before  
2           that hearing be held, however. And it's my understanding, Mr.  
3           Whalen, that that -- you're starting trial tomorrow; is that  
4           right?

5           MR. WHALEN: That is correct, Your Honor.

6           THE COURT: Does the Government have good cause to  
7           seek that continuance?

8           MR. FENTON: Yes, Your Honor.

9           THE COURT: What would that be?

10          MR. FENTON: We're reviewing some additional evidence  
11          that may be relevant to the detention hearing.

12          THE COURT: Okay. Mr. Whalen, do you have any idea  
13          of what your schedule will be like in the other trial? Will  
14          you have a break?

15          MR. WHALEN: Your Honor, I did reach out to Leo Park,  
16          the Court -- her law clerk, and he talked to Judge Lynn. She  
17          does anticipate taking a lunch break around 12:15, between  
18          12:15 and 1:15 tomorrow, but it's going to be kind of fluid  
19          because we're doing questionnaires and things like that. So,  
20          I mean, I'll be in the building --

21          THE COURT: Are you willing to use that opportunity  
22          to conduct a detention hearing in this case?

23          MR. WHALEN: Yes, Your Honor.

24          THE COURT: Okay. Then I'm going to schedule a  
25          detention hearing tomorrow for 12:15 or as soon as you're able

1 to get out of that trial. And so I'm going to ask the  
2 Marshals, too, to be patient with us and just to kind of be on  
3 call for us to call for Ms. Degroot to be brought to court  
4 here tomorrow. And the prosecutors will need to be on call  
5 and ready to come when the Court calls.

6 Until that time, ma'am, you're going to have to remain in  
7 custody.

8 And so is there anything else we should do in Ms.  
9 Degroot's case today?

10 MR. WHALEN: No, Your Honor. Not at this time.

11 MR. FENTON: No, Your Honor.

12 THE COURT: That concludes your hearing today, ma'am.  
13 You're remanded to the custody of the U.S. Marshal, and the  
14 attorneys are excused.

15 MR. WHALEN: Thank you, Your Honor.

16 (Proceedings concluded at 1:07 p.m.)

17 --oOo--

18

19 CERTIFICATE

20 I certify that the foregoing is a correct transcript from  
21 the electronic sound recording of the proceedings in the  
above-entitled matter.

22 **/s/ Kathy Rehling**

**04/20/2020**

23

24 Kathy Rehling, CETD-444  
25 Certified Electronic Court Transcriber

Date

INDEX

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PROCEEDINGS

2

WITNESSES

-none-

EXHIBITS

-none-

RULINGS

Entry of Not Guilty Plea

3

Detention Hearing Scheduled for 10/11/2019

4

END OF PROCEEDINGS

5

INDEX

6